

REMARKS

This Amendment is submitted in response to the Office Action dated December 25, 2008, the response being extended under 37 C.F.R. 1.136(a). Reconsideration of the application in view of the amendments made herein and the following remarks is respectfully requested.

In the Action, the Examiner rejects claims 1-8, 11 and 13-23 as anticipated by the teaching in the Halberstadt patent. In addition, the Examiner rejects claims 9-10 as obvious based on the teaching in Halberstadt when combined with the teaching in the patent to Plough. Finally, the Examiner rejects claim 12 based on Halberstadt when combined with the teaching in Veale.

These rejections are respectfully traversed.

In regard to the Examiner's reliance on the Halberstadt reference in rejecting the claims, it is our contention that the invention as now claimed is distinguishable from the disclosure in Halberstadt. Halberstadt does not provide for the sequential forming of panels where the upper face of the panel which has been formed earlier provides the bed for the subsequent panel. In this regard, the examiner has referred to Figures 6 and 7 of the Halberstadt patent; however, Figures 6 and 7 and the related description at column 6, line 54 to column 8, line 2 make it apparent that each floor panel is formed in spaced relation from the adjacent lower panel.

It is now suggested that the present invention as now claimed is patentably distinguishable from the teaching in the prior art relied upon by the examiner. Reference is made to the nature of the columns which support between themselves the at least one side member.

The columns have now been specifically defined as each comprising:

a first upright member supported from a base wherein the locating elements are spaced vertically along the upright member and the column further comprises a second upright member pivotable on the base member to be movable relative to the first upright member between a first position at which the second upright member clampingly engages the side member against the first upright member and a second position at which the second upright

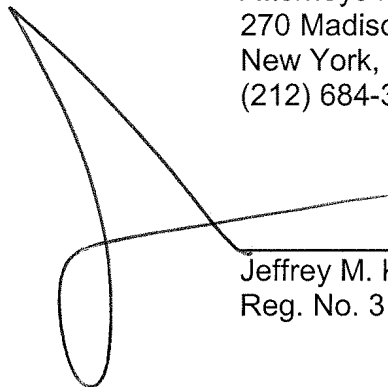
member is in a non-clamping engagement with the side member, and further including a retaining element provided to retain the first and second upright members in clamping engagement with the side member; said side members being vertically repositionable on said support means through a range of locations to define a moulding space at each location.

The use of the columns in the inventive formwork simplifies the disassembly of the forming space for a formed panel and the relocation of the at least on side member to facilitate the formation of the next panel without the need to undo fixings and ensures that the side members are readily accessed when it becomes necessary to reposition them on the column. None of the prior art references relied upon by the Examiner discloses the use of columns as now defined in the claims.

Early and favorable action is respectfully requested.

The Commissioner is authorized to charge any additional fees that may be required, or to credit any overpayment to Deposit Account No. 07-1730.

Respectfully submitted,
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A handwritten signature in black ink, appearing to read 'Jeffrey M. Kaden', is written over a horizontal line. The signature is stylized with a large loop at the end.

Jeffrey M. Kaden
Reg. No. 31,268

Date: 15 June 2009
New York, N.Y.